

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

GENOSAR

Serial No.: 10/071,222

Group Art Unit: 3712

Filed: February 11, 2002

Examiner: Unknown

Title: EXPANDING SHAPES AND MODELS



June 28, 2002

RESPONSE TO NOTICE TO FILE MISSING PARTS

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

The applicant has received a Notice to File Missing Parts, copy attached.

The notice indicates that the statutory basic filing fee of \$740 is missing and that a late filing fee of \$130 must be submitted with the missing items. However, reconsideration of the finding that the basic filing fee is missing is respectfully requested. When the application papers were filed on February 11, 2002, the USPTO was expressly requested to charge the filing fee of \$740 to Deposit Account No. 50-0310. See attached copy of date-stamped postcard receipt which specifically lists as item (1) the request to charge the indicated Deposit Account.

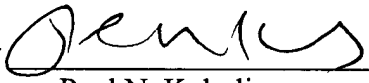
See also the attached copy of the filing papers which specifically asked in Box 10, page 3, to have the filing fee charged to the indicated Deposit Account.

In the circumstances, it is respectfully submitted that the applicant timely complied with all requirements, including the basic filing fee, when the application was filed on February 11, 2002. Accordingly, the Notice to File Missing Parts is believed to

be in error and withdrawal thereof or other appropriate action consistent with the foregoing is requested.

Respectfully submitted,

MORGAN LEWIS & BOCKIUS LLP

By   
Paul N. Kokulis  
Reg. No. 16773

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MP



PATENT  
ATTORNEY DOCKET NO.: 056644-5002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
GENOSAR	)	
	)	
Application No.: 10/071,222	)	Group Art Unit: 3712
	)	
Filed: February 11, 2002	)	Examiner: Unknown
	)	
For: EXPANDING SHAPES AND MODELS	)	

Commissioner for Patents  
Washington, D.C. 20231

Sir:

**RESPONSE TRANSMITTAL FORM**

1. Transmitted herewith is a response to the Notice to File Missing Parts dated May 6, 2002.

2. Additional papers enclosed:

Copy of Notice to File Missing Parts  
Copy of date-stamped postcard receipt  
Copy of filing transmittal papers

3. Extension of Time

The proceedings herein are for a patent application and the provisions of  
37 C.F.R. § 1.136(a) apply.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$ 200.00
<input type="checkbox"/> three months	\$ 920.00	\$ 460.00
<input type="checkbox"/> four months	\$ 1,440.00	\$ 720.00

Extension of time fee due with this request: \$\_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	0	minus	20	0	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	0	minus	3	0	x \$84 each=	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

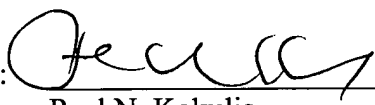
6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$\_\_\_\_\_ for \_\_\_\_\_. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 28, 2002

By:   
Paul N. Kokulis  
Reg. No. 16773

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UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/071,222	02/11/2002	Amir Genosar	WOLF-5002

CONFIRMATION NO. 9256

009629  
MORGAN LEWIS & BOCKIUS LLP  
1111 PENNSYLVANIA AVENUE NW  
WASHINGTON, DC 20004

**FORMALITIES LETTER**



\*OC000000007606748\*

Date Mailed: 05/06/2002

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$870** for a Large Entity

*A copy of this notice **MUST** be returned with the reply.*

*J. Robinson*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:**

New U.S. Patent Application of: Amir GENOSAR

For: EXPANDING SHAPES AND MODELS

**ATTENTION: BOX PATENT APPLICATION**

1. Please charge Deposit Account No. 50-0310 in the amount of \$740.00
2. Transmittal Letter
3. Specification of 13 pages, 1 independent claim; 10 total claims
4. Drawings - 5 sheets - 7 total figures
5. Declaration and Power of Attorney
6. Information Disclosure Statement
7. PTO-1449, 6 references as listed



Dated: February 11, 2002  
Attorney Docket No.: WOLF-5002  
PNK/lmp

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of

**DOCKETED**  
By SDW Date 2-12-02